

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

REGINALD C. MALONE, SR.,

Petitioner,

v.

STATE OF TENNESSEE,

Respondent.

)
)
)
)
)
)
)
)
)
)

**No. 3:09-1100
Judge Echols**

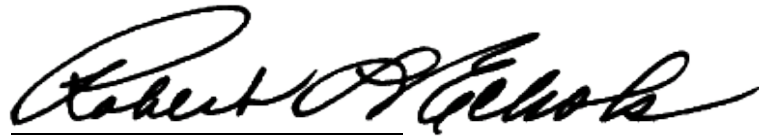
ORDER

The petitioner, a resident of Nashville, is a former state inmate currently on parole. The petitioner brings this action under 28 U.S.C. § 2254 seeking federal *habeas corpus* relief.

For the reasons explained in the accompanying memorandum, this action is **DISMISSED WITHOUT PREJUDICE** pending exhaustion of his grounds for relief in state court, after which the petitioner may re-file his petition.

An appeal from the judgment rendered herein would **NOT** be taken in good faith. 28 U.S.C. § 1915(a)(3). Therefore, the petitioner is **NOT** certified to pursue an appeal *in forma pauperis*. *Id.*

It is so **ORDERED**.



Robert L. Echols
United States District Judge